



Docket No.: 211226US0X

B/IMage

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/938,641 ✓

Applicants: Achim MARX, et al.

Filing Date: August 27, 2001

Allowed Date: February 24, 2005

For: NUCLEOTIDE SEQUENCES WHICH CODE FOR
THE OXYR GENE

Group Art Unit: 1652

Examiner: K. Kerr

SIR:

Attached hereto for filing are the following papers:

Amendment Under 37 CFR 1.312

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Thomas M. Cunningham

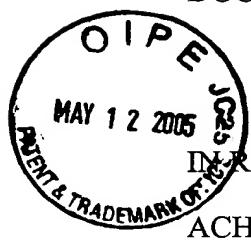
Registration No. 45,394

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

DOCKET NO: 211226US0X



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN THE APPLICATION OF

ACHIM MARX, ET AL.

SERIAL NO: 09/938,641

FILED: AUGUST 27, 2001

FOR: NUCLEOTIDE SEQUENCES
WHICH CODE FOR THE OXYR GENE

:

: EXAMINER: K. KERR

: ALLOWED DATE: FEBRUARY 24, 2005

: GROUP ART UNIT: 1652

:

AMENDMENT UNDER 37 C.F.R. 1.312

This application has been allowed, but the issue fee has not yet been paid.

Kindly amend claims 50 and 52 as shown below:

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 6.